



MAYOR'S EXECUTIVE ORDER

NO. 21-01

WHEREAS, the Pacific Northwest is experiencing record high temperatures and a prolonged heat dome which has existed since June 22nd and is anticipated to continue with record high temperatures projected to reach 109 degrees Fahrenheit on Saturday, June 26th; and continue in the 90's and 100's through Saturday, July 3rd; and

WHEREAS, the threat of wildland fire is at a level of extreme danger from the prolonged heat wave; and

WHEREAS, the State of Washington and other states in the western United States have experienced increasing intensity, frequency and area destruction, including devastating urban wildfires, from wildland fires over the past four years; and

WHEREAS, Eastside Fire and Rescue and the King County Conservation District conducted a virtual Town Hall on June 24th for the community of North Bend focusing on the threat of wildland fires in our area and advised the community on precautionary measures to prepare for and avoid such a wildfire incident; and

WHEREAS, King County has enacted a fireworks ban for the entirety of unincorporated King County due to the danger of wildfires from setting off fireworks; and

WHEREAS, the City of North Bend currently allows in the manner authorized by state law the purchase and discharge of fireworks associated with the 4th of July Independence Day festivities, and;

WHEREAS, the Mayor of the City of North Bend finds that the use of fireworks during and immediately following a record heat wave and record dry conditions, ripe for wildland fire, constitutes a dangerous threat to the health and safety of the public;

NOW, THEREFORE, THE MAYOR OF THE CITY OF NORTH BEND, WASHINGTON, BY THE POWER VESTED IN HIM BY THE CONSTITUTION AND STATUTES OF THE STATE OF WASHINGTON INCLUDING EMERGENCY MANAGEMENT POWERS CONFERRED BY CHAPTER 38.52 RCW, DOES HEREBY, EFFECTIVE IMMEDIATELY, ORDER AND DIRECT:

Section 1. Declaration of Emergency. The extreme threat of wildland and other fire danger resulting from the prolonged heat wave constitutes an "emergency or disaster" as defined in RCW 38.52.010(9)(a) and an "emergency" as defined in RCW 38.52.010(9)(b).

Section 2. Discharge of fireworks in the City of North Bend prohibited. In order to best prevent and address potential emergencies and disasters resulting from the current extreme threat of wildland fire, all discharge of any aerial devices in the City of North Bend shall be prohibited from the date of this proclamation through October 31, 2021.

For purposes of this Executive Order, "aerial devices" include (a) such devices defined within the definition of "consumer fireworks" in RCW 70.77.136, (b) such devices containing more than 130 mg of explosive materials, and (c) any other device that goes airborne after discharge or detonation (e.g., bottle rockets, mortars, firecrackers, etc.).

Section 3. Illegal Fireworks and fines. Certain fireworks, even if legally purchased at state-approved fireworks stands or on tribal reservations are illegal under this Emergency Proclamation. Discharge of the listed fireworks shall result in the listed penalties:

A. Aerial devices:

Fine: \$750 for each violation of discharge

B. No "fireworks" or "aerial devices" as those terms are defined in RCW 70.77 may be discharged in any public park or on other public property.

Section 4. Legal Fireworks in North Bend. "Ground devices" and "small devices" as those terms are defined within the definition of "consumer fireworks" in RCW 70.77.136, hand-held sparkling devices and smoke devices that can be contained in a safe area are permitted for discharge only from 9 A.M. to midnight on July 4th. These devices shall only be discharged on surfaces that are non-combustible and with sufficient distance from combustible material to avoid fires.

DATED this 28 day of June, 2021

A handwritten signature in blue ink, appearing to read "Rob McFarland", is written over a horizontal line.

Rob McFarland, Mayor
City of North Bend, WA